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North Carolina Citizens for Business & Industry

P.O. Box 2508, Raleigh, NC 27602 • 225 Hillsborough Street, Suite 460, Raleigh, NC 27603 • Telephone: (919) 836-1400 • Fax: (919) 836-1425

February 26, 2002

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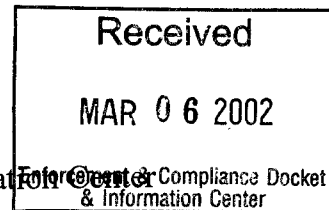
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U.S. Environmental Protection Agency
Enforcement and Compliance Docket and Information Center
Mail Code 2201A
ATTN: Docket Number EC-2000-007
1200 Pennsylvania Avenue, NW
Washington, D.C. 20460

RE: Cross-Media Electronic Reporting and Recordkeeping Rule (CROMERRR).

Dear Sir or Madam:

North Carolina Citizens for Business and Industry ("NCCBI") is a non-profit, non-partisan membership organization consisting of approximately 2,000 member companies throughout North Carolina, including most large manufacturers and utility companies. NCCBI serves as the statewide chamber of commerce for North Carolina's business community. NCCBI and its membership are greatly concerned about EPA's proposed Cross-Media Electronic Reporting and Recordkeeping Rule (CROMERRR).

NCCBI has a number of concerns regarding this rule. First and foremost, we believe that the costs of the rule are prohibitive. As we understand it, the CROMERRR will require as many as 1.2 million facilities to continuously upgrade computer systems and will mandate retention of "legacy systems" for long-term audit and inspection. According to the U.S. Chamber of Commerce, the estimated initial cost to industry exceeds \$48 billion with continuing annual costs to exceed \$20 billion. NCCBI does not believe that the benefits of this rule are commensurate with such an enormous cost in light of the current uncertain state of the U.S. economy.

Second, while EPA has characterized the rule as one that removes obstacles and allows voluntary reporting, a review of the rule makes it apparent that, as currently written, it places mandatory and burdensome requirements on the regulated community. For example, the definition of "electronic record" is so

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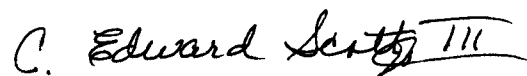
broad that almost no information would be exempt from the requirements of the rule. As currently drafted, "electronic record" means any combination of text, graphics, data, audio, pictorial, or other information represented in digital form that is created, modified, maintained, archived, retrieved or distributed by a computer system. This definition is so broad as to be virtually unworkable as nothing appears to be exempt.

Third, while EPA states that the proposal is technology neutral, most of the requirements of the rule go far beyond what is required of comparable manual records. Furthermore, in addition to the restrictive requirements for electronic data, the rule appears to give the agency unlimited access to inspect any company's information systems. This sort of access requirement is unprecedented and raises serious concerns about corporate data security including but not limited to trade secrets, proprietary information, personnel information unrelated to training records, and other confidential business information.

In short, the costs of this rule as written far outweigh the benefits. The rule will undoubtedly drive companies to less electronic recordkeeping and more manual recordkeeping and thereby require the spending of millions of dollars in changing information systems. After this effort is completed, the environment will not be improved, pollution will not be reduced, and the air, water or soil will not be cleaner. In fact, more paper will likely be consumed.

In summary, NCCBI opposes the CROMERRR in its current form. Thank you for your consideration and the opportunity to comment on the proposed rule.

Sincerely,

A handwritten signature in cursive script that reads "C. Edward Scott, III". The signature is written in dark ink and is positioned above the printed name.

C. Edward Scott, III

Chairman, NCCBI Environmental Concerns Committee

cc: Phil Kirk, NCCBI

Leslie Bevacqua

Environmental Concerns Committee Members